

EXHIBIT A

[On USDC Letterhead]

High Court of New Zealand
Auckland Registry
Cnr Waterloo Quadrant and Parliament Street
Auckland
NEW ZEALAND

[DATE]

For the Attention of the Registrar

LETTER OF REQUEST FOR ASSISTANCE IN CIVIL PROCEEDINGS – *THE REPUBLIC OF KAZAKHSTAN V. DOES 1-100 INCLUSIVE*, 15 CIV 1900 (ER) (S.D.N.Y. 2015)

Request for Assistance

- 1 The United States District Court for the Southern District of New York (the “Requesting Court”) respectfully requests the assistance of the New Zealand High Court in obtaining the production of specified documents by order of subpoena from Mega Limited, a company registered in New Zealand (company number 4136598) (“Mega”).

Background

- 2 By way of background, the above-captioned civil proceedings (the “New York Proceedings”) were filed in this Court by the plaintiff, the Republic of Kazakhstan (“Plaintiff”), against unknown Doe Defendants on March 12, 2015, based upon violation of The Computer Fraud and Abuse Act, 18 U.S.C. § 1030.
- 3 The New York Proceedings arise out of the hacking of Plaintiff’s computers and email accounts. As set forth in a Preliminary Injunction issued by this Court on March 20, 2015, on or about January 21, 2015, Plaintiff learned of unauthorized public postings of certain of its privileged and confidential emails, and thereby became aware that its computer systems and other accounts had been hacked by unknown hackers. The hackers unlawfully accessed Plaintiff’s computers, as well as Gmail accounts used from time to time by Plaintiff’s officials to conduct official government business, and misappropriated government emails and other documents containing sensitive, proprietary, and highly confidential government documents (the “Stolen Materials”).
- 4 There is good cause to find that the hackers, or others working in concert with the hackers, have posted some of the Stolen Materials on <https://mega.co.nz/>, a website hosted by Mega, a company based in New Zealand. There is a different website, <https://kazaword.wordpress.com>, which contains hyperlinks to Mega’s website. A user who clicks on the hyperlinks is redirected to a specific Mega archive that contains a portion of the Stolen Materials. There are at least 23 files/archives on Mega that contain or once contained Stolen Materials. The files/archives on Mega’s website collectively contain over 100,000 documents from among the Stolen Materials. In addition, there are at least 27 files/archives on Mega that contain or once contained 27 articles containing screenshots of excerpts of the Stolen Materials.

5 On March 13, 2015, Plaintiff filed a Motion, by Order to Show Cause, for a Temporary Restraining Order and Preliminary Injunction, requesting that the Court order that "Defendants, their affiliates, employees, agents, and representatives, and all persons acting in concert with or participating with Defendants, are enjoined from using, disclosing, disseminating, posting, displaying, sharing, distributing, hosting, copying, viewing, accessing, providing access to or making available to anyone, in any manner whatsoever, the Stolen Materials." That same day, the Court executed the Order to Show Cause and granted the Motion for a Temporary Restraining Order.

6 On March 20, 2015, the Court converted the Temporary Restraining Order into a Preliminary Injunction, and ordered that:

Defendants, their affiliates, employees, agents, and representatives, and all persons acting in concert with or participating with Defendants, are enjoined from using, disclosing, disseminating, posting, displaying, sharing, distributing, hosting, copying, viewing, accessing, providing access to or making available to anyone, in any manner whatsoever, the Stolen Materials;

Defendants, their affiliates, employees, agents, and representatives, and all persons acting in concert with or participating with Defendants, must immediately deliver to Plaintiff: (a) all copies of the Stolen Materials; and (b) all copies of any materials (in paper, electronic, or any other form) that contain or reflect any information derived from the Stolen Materials; and

Defendants, their affiliates, employees, agents, and representatives, and all persons acting in concert with or participating with Defendants, must turn over to the Court any proceeds that Defendants have received as a result of their misappropriation and use of the Stolen Materials, such proceeds to be held in constructive trust until the conclusion of this litigation.

7 Also on March 20, 2015, the Court granted Plaintiff leave to serve expedited third-party discovery.

8 There is good cause to find that the Mega website contains at least 23 files that collectively contain or once contained over 100,000 documents from among the Stolen Materials. Mega now hosts these documents. It appears from the posts that these files were uploaded to Mega between August of 2014 and April of 2015. Plaintiff does not know who uploaded these files to the Mega website. Mega should have information that will help identify who uploaded these files, such as the IP addresses, MAC addresses, email addresses, contact information, account information, and payment information for the accounts that were used to upload the Stolen Materials onto the Mega website.

9 In addition, there is good cause to find that the Mega website contains at least 27 files that collectively contain or once contained 27 articles containing screenshots of excerpts of the Stolen Materials. Mega now hosts these documents. Plaintiff does not know who uploaded these files to the Mega website. Mega should have information that will help

%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B0%D1%86
%D0%B8%D0%B8/

- (f) February 11, 2015:
<https://kazaword.wordpress.com/2015/02/11/%D0%BF%D1%80%D0%BE%D0%B4%D0%BE%D0%BB%D0%B6%D0%B0%D0%B5%D0%BC-%D1%80%D0%B0%D0%B7%D0%B3%D0%BE%D0%B2%D0%BE%D1%80/>
- (g) February 16, 2015:
<https://kazaword.wordpress.com/2015/02/16/%D1%8D%D1%85%D0%BE-%D0%BC%D0%B0%D0%B3%D0%BD%D0%B8%D1%82%D1%81%D0%BA%D0%BE%D0%B3%D0%BE/>
- (h) February 18, 2015:
<https://kazaword.wordpress.com/2015/02/18/%D0%BF%D1%80%D0%B0%D0%B2%D0%BE%D0%BE%D1%85%D1%80%D0%B5%D0%BD%D0%B8%D1%82%D0%B5%D0%BB%D1%8C%D0%BD%D1%8B%D0%B5-%D0%BE%D1%80%D0%B3%D0%B0%D0%BD%D1%8B/>
- (i) March 3, 2015:
<https://kazaword.wordpress.com/2015/03/03/%D0%BE-%D0%BD%D0%B0%D1%81-%D0%BF%D0%B8%D1%88%D1%83%D1%82/>
- (j) April 28, 2015:
<https://kazaword.wordpress.com/2015/04/28/%D0%B2%D0%B5%D1%81%D0%BD%D0%B0/>

11.2 A user who clicks on the hyperlinks is redirected to a specific Mega archive, which contains a portion of the Stolen Materials. There are at least 23 files/archives on Mega that contain or once contained Stolen Materials and that are located at the following:

- (a) <https://mega.co.nz/#!LQBghS7D!GtEBz4BRwvySrg5dMtUcSAeTINKaRMvLKLkHNh2ydI>
- (b) https://mega.co.nz/#!XAYCiRSK!tGSGlq0GSEJPbSU2x3sFKpa3FAVNhs6oBdArJpO-_TY
- (c) https://mega.co.nz/#!SZ5G0CBa!rDz_1qagGyujg_sdns0iBgpK58Rpei3j6PIftq6eSfs
- (d) <https://mega.co.nz/#!nUYU1SqI!37nb21B32TbPt9Em2VfFxP1ARSyMLpPadmrWqZZV7KQ>
- (e) <https://mega.co.nz/#!qBpAlSyb!7Laf6W6FrTUV8fqHAnsFE3XuXneBN2VBRBUyeiPwYg0>
- (f) https://mega.co.nz/#!zQZGHAJS!QWIrzBiShPw65tNbl7NTLy0n_rcz1Geu3bf60ph4Tnk

- (g) https://mega.co.nz/#!3ZAWSITa!PKawtAi0ZtefbK4Q4CFi47Idhyv6CzC_mzhfvpWFxdk
- (h) <https://mega.co.nz/#!LYozVAyB!pSNUQRoixLEuxic24JHlPnrIDIXFQBWDqoXE-JhenGk>
- (i) <https://mega.co.nz/#!LE53WTxJ!vV5yoHbxEcHucsRSomRngwwi4N5ZIzxZI9dRZnrxBG8>
- (j) <https://mega.co.nz/#!udYnXK4Y!hCy2E3FOvJnuzSIKDjHnOgPrABedwAeHDHFnr3e2ZqI>
- (k) https://mega.co.nz/#!2d4yTixY!AcRxEvurlGM9VH0zWrOSn_NRdoiWy0AWBIYPSLBdb34
- (l) https://mega.co.nz/#!KVAVwbRZ!PriQRc_7PIdUiS0PddJUsUZnwgj7tmtOkce9KuLVeZ0
- (m) <https://mega.co.nz/#!qIRhnK5S!WMbbcaQf9U6VPMkuKZg9w8C17byQ50aROdsmOHi7uy0>
- (n) https://mega.co.nz/#!DFQCSRBa!RULvSoslXVT9SevEiMIdarTm8s_KGdQPc2bfdyRS0W4
- (o) https://mega.co.nz/#!zRwRmAwC!xjAiWRnlotg9Rj7FPF79z1fkTkMOaE8AP5qq6_H6pSQ
- (p) https://mega.co.nz/#!qRAmEYDT!6XF_IBgujs20TiMO1yh2jHarVzOQN-Auetwko1IeT5Q
- (q) <https://mega.co.nz/#!uER2XYDJ!dEk2qHgYGGJBkxXYABvZ8snNUDwYmp58LX3W0bMSDMU>
- (r) <https://mega.co.nz/#!XQAnXR4Q!LvIsmTQrnY5VPqZV3stMZ0Snh5WXx9nhbBHhgdSqUL0>
- (s) <https://mega.co.nz/#!KdoliQjL!47BKHS2oegT1QHHclMpKk3qa00tNWA0z6INkNcc4gLQ>
- (t) <https://mega.co.nz/#!vFhk1B6B!qx5ISmMFs2jYiyBjoxG-KkIRRSJGvV286hSbD3lPhuI>
- (u) <https://mega.co.nz/#!XQAnXR4Q!LvIsmTQrY5VPqZV3stMZ0Snh5WXx9nhbBHhgdSqUL0>
- (v) <https://mega.co.nz/#!ncJ3CaSQ!iRPWak3dn6uhzcuybSWAyqAgNrQp1UI5ve2nDS6KKaY>
- (w) <https://mega.co.nz/#!vFhk1B6B!qx5ISmMF2jYiyBjoxG-KkIRRSJGvV286hSbD3lPhuI>

11.3 The files/archives on Mega's website collectively contain or once contained over 100,000 documents taken from the Stolen Materials.

11.4 In addition, 27 articles excerpting the Stolen Materials were posted on <https://mega.co.nz/>, a website hosted by Mega. The www.facebook.com and www.respublika-kz.info websites contain hyperlinks to Mega's website. The hyperlinks are located at the following:

(a) March 20, 2015:

<https://www.facebook.com/notes/%D0%B8%D0%BD%D1%84%D0%BE%D1%80%D0%BC%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%BD%D1%8B%D0%B9-%D0%BF%D0%BE%D1%80%D1%82%D0%B0%D0%BB-%D1%80%D0%B5%D1%81%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B0/%D0%BA%D1%82%D0%BE-%D1%81%D1%82%D0%BE%D0%B8%D1%82-%D0%B7%D0%B0-%D0%BA%D0%B0%D0%B7%D0%BD%D0%B5%D1%82%D0%BE%D0%BC-iii-%D0%BF%D1%80%D0%BE-%D0%BE%D0%BB%D0%B5%D0%B3%D0%B0-%D0%B1%D0%BE%D1%80%D0%B8%D1%81%D0%BE%D0%B2%D0%B0-%D0%B8-%D0%B5%D0%B3%D0%BE-%D0%BA%D0%BE%D0%BC%D0%B0%D0%BD%D0%B4%D1%83/616075338492994>

(b) March 24, 2015:

<https://www.facebook.com/notes/%D0%B8%D0%BD%D1%84%D0%BE%D1%80%D0%BC%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%BD%D1%8B%D0%B9-%D0%BF%D0%BE%D1%80%D1%82%D0%B0%D0%BB-%D1%80%D0%B5%D1%81%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B0/%D0%BF%D1%80%D0%BE-%D0%BE%D0%BB%D0%B5%D0%B3%D0%B0-%D0%B1%D0%BE%D1%80%D0%B8%D1%81%D0%BE%D0%B2%D0%B0-%D0%B8-%D0%BD%D0%B5%D1%83%D0%BC%D0%BD%D1%8B%D1%85-%D1%82%D1%80%D0%BE%D0%BB%D0%BB%D0%B5%D0%B9/617478038352724>

(c) March 29, 2015:

<https://www.facebook.com/notes/%D0%B8%D0%BD%D1%84%D0%BE%D1%80%D0%BC%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%BD%D1%8B%D0%B9-%D0%BF%D0%BE%D1%80%D1%82%D0%B0%D0%BB-%D1%80%D0%B5%D1%81%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B0/%D0%B2%D1%81%D0%B5-%D1%87%D0%B0%D1%81%D1%82%D0%B8-%D0%B4%D0%BE%D0%BA%D0%BB%D0%B0%D0%B4%D0%B0-%D0%BA%D1%82%D0%BE-%D1%81%D1%82%D0%BE%D0%B8%D1%82-%D0%B7%D0%B0->

%D0%BA%D0%B0%D0%B7%D0%BD%D0%B5%D1%82%D0%BE%D0%BC-3/619761478124380

(d) March 31, 2015:

<https://www.facebook.com/notes/%D0%B8%D0%BD%D1%84%D0%BE%D1%80%D0%BC%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%BD%D1%8B%D0%B9-%D0%BF%D0%BE%D1%80%D1%82%D0%B0%D0%BB-%D1%80%D0%B5%D1%81%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B0/%D0%BA%D0%B0%D0%BA-%D1%82%D1%80%D0%BE%D0%BB%D0%BB%D0%B8-%D0%BA%D0%BD%D0%B1-%D0%BF%D0%BB%D0%B5%D1%82%D1%83%D1%82-%D0%BF%D0%B0%D1%83%D1%82%D0%B8%D0%BD%D1%83-%D0%B2-%D1%81%D0%BE%D1%86%D1%81%D0%B5%D1%82%D1%8F%D1%85/620145534752641>

(e) April 6, 2015:

<https://www.facebook.com/notes/%D0%B8%D0%BD%D1%84%D0%BE%D1%80%D0%BC%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%BD%D1%8B%D0%B9-%D0%BF%D0%BE%D1%80%D1%82%D0%B0%D0%BB-%D1%80%D0%B5%D1%81%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B0/%D0%BF%D1%80%D0%BE%D0%BC%D1%8B%D0%B2%D0%BA%D0%B0-%D0%BC%D0%BE%D0%B7%D0%B3%D0%BE%D0%B2-%D0%BE%D1%82-%D0%BE%D0%BB%D0%B5%D0%B3%D0%B0-%D0%B1%D0%BE%D1%80%D0%B8%D1%81%D0%BE%D0%B2%D0%B0/622736191160242>

(f) April 14, 2015:

<https://www.facebook.com/notes/%D0%B8%D0%BD%D1%84%D0%BE%D1%80%D0%BC%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%BD%D1%8B%D0%B9-%D0%BF%D0%BE%D1%80%D1%82%D0%B0%D0%BB-%D1%80%D0%B5%D1%81%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B0/%D0%BA%D1%82%D0%BE-%D0%BF%D1%80%D1%8F%D1%87%D0%B5%D1%82%D1%81%D1%8F-%D0%B7%D0%B0-%D0%BD%D0%B8%D0%BA%D0%BE%D0%BC-%D0%BE%D0%BB%D0%B5%D0%B3-%D0%B1%D0%BE%D1%80%D0%B8%D1%81%D0%BE%D0%B2/625659574201237>

(g) March 20, 2015: <http://www.respublika-kaz.info/news/politics/40945/>

(h) March 24, 2015: <http://www.respublika-kaz.info/news/politics/40961/>

(i) March 31, 2015: <http://www.respublika-kaz.info/news/politics/41057/>

(j) April 6, 2015: <http://www.respublika-kaz.info/news/politics/41145/>

(k) April 14, 2015: <http://www.respublika-kaz.info/news/politics/41255/>

11.5 A user who clicks on the hyperlinks is redirected to a specific Mega archive, which contains articles containing screenshots of excerpts of the Stolen Materials. There are at least 27 files/archives on Mega that contain these articles and that are located at the following:

(a) https://mega.co.nz/#!ZtpgTSgK!TWDzW0Oj04LQBJF23yRPO-T-lfY0IWLznCsK2UzJU_I

(b) https://mega.co.nz/#!tkBjiT5D!TWDzW0Oj04LQBJF23yRPO-T-lfY0IWLznCsK2UzJU_I

(c) https://mega.co.nz/#!Qtw3wIDB!TWDzW0Oj04LQBJF23yRPO-T-lfY0IWLznCsK2UzJU_I

(d) https://mega.co.nz/#!U8lWDYjR!z3qpcq6PrRXfrsjqFQf18_H0d78K4DgHOflSxvLVdjU

(e) https://mega.co.nz/#!hstQADLA!xEDXdxBWocwaxZ_dMQqaUFWOb1FbYgyiB0Ou6paMOP4

(f) https://mega.co.nz/#!IgNm2QKB!Uvk_6GB6x9Qw8Yn0EpcGAL_WopdksjnSrQnzqxZcyNI

(g) https://mega.co.nz/#!x11GBTJS!xq051hhJe_Rb4zZqm37-OIKrRJNDODBRHlsIpBUvaW0

(h) https://mega.co.nz/#!YINRSQDK!VKcycF_iZxc8tALMEKiwEljbuqSAfu6pPfrJh3pG1js

(i) https://mega.co.nz/#!D5d2AKbR!0cK8_rWerJXPAQ-UkoXX1JWDAGHJ8y83kRuaQhVnJyM

(j) https://mega.co.nz/#!ZtpgTSgK!TWDzW0Oj04LQBJF23yRPO-T-lfY0IWLznCsK2UzJU_I

(k) https://mega.co.nz/#!tkBjiT5D!TWDzW0Oj04LQBJF23yRPO-T-lfY0IWLznCsK2UzJU_I

(l) https://mega.co.nz/#!Qtw3wIDB!TWDzW0Oj04LQBJF23yRPO-T-lfY0IWLznCsK2UzJU_I

- (m) <https://mega.co.nz/#!msdgwI5D!xot-3d7d-pGDKsxTzx02GA5IjQgis-i-QLCDLxJCSaw>
- (n) <https://mega.co.nz/#!VIAAn1ADS!2EVq56dx01OUUxdOY0MCYlyQKovrK11L2pY6bA5eAgM>
- (o) <https://mega.co.nz/#!0F5BWDpI!2EVq56dx01OUUxdOY0MCYlyQKovrK11L2pY6bA5eAgM>
- (p) https://mega.co.nz/#!D5d2AKbR!0cK8_rWerJXPAQ-UkoXX1JWDAGHJ8y83kRuaQhVnJyM
- (q) https://mega.co.nz/#!61NGCJBQ!QVr8wFcDfKGPVfueYVDQJcVZ6CaxzkHKK_2uqmv64HU
- (r) https://mega.co.nz/#!U8lWDYjR!z3qpcq6PrRXfrsjqFQf18_H0d78K4DgHOfISxvLVdjU
- (s) https://mega.co.nz/#!hstQADLA!xEDXdxBWOcwaxZ_dMQqaUFWOb1FbYgyiB0Ou6paMOP4
- (t) https://mega.co.nz/#!IgNm2QKB!Uvk_6GB6x9Qw8Yn0EpcGAL_WopdksjnSrQnzqxZcyNI
- (u) https://mega.co.nz/#!x11GBTJS!xq051hhJe_Rb4zZqm37-OIKrRJNDODBRHIsIpBUvaW0
- (v) https://mega.co.nz/#!YINRSQDK!VKcycF_iZxc8tALMEKiWEljbuqSAfu6pPfrJh3pG1js
- (w) https://mega.co.nz/#!HwlHkKyD!Q_iubWGweQ_NQ3DBt2ZQy-ud8DI5mwpPq3C83UH05FQ
- (x) https://mega.co.nz/#!sZwm2ZqC!f0kFYi6fwmjvZ-40vrpsgpjNGkn_Qi0nw_eQGPgBCD0
- (y) https://mega.co.nz/#!uwdhxaQb!-Cx-3vbJxCkRsFe-KR04hIQzzm_yt4oSjnvam7x9ysw
- (z) https://mega.co.nz/#!9NAGHR5D!2v9OJ9A0_6d8X6tcRwI2pARnL_FojVT0YiJU_P_BEWr0
- (aa) <https://mega.co.nz/#!OgtnDTCT!Pu4fZ6mGKcROo0t10IkOWdQMJcuhjwO1zAtbkmj1LTI>

- 11.6 The files/archives on Mega's website collectively contain or once contained 27 articles containing screenshots of excerpts of the Stolen Materials.
 - 11.7 Plaintiff's request, that Mega produce documents sufficient to identify the IP addresses, MAC addresses, email addresses, contact information, account information, and payment information for the accounts that were used to upload a file that contains any Stolen Materials, could reasonably lead to the identification of at least some of the "Does" named as defendants.
 - 11.8 Plaintiff's request is narrowly tailored, and calls only for documents sufficient to identify the IP addresses, MAC addresses, email addresses, contact information, account information, and payment information for the accounts that were used to upload the Stolen Materials onto the Mega website.
 - 11.9 Finally, Plaintiff is unable to obtain this information by any other means. Mega is believed to be the sole custodian of information identifying the IP addresses, MAC addresses, email addresses, contact information, account information, and payment information of the accounts that were used upload to the Stolen Materials onto Mega's website.
- 12 After due consideration, I granted the Plaintiff's motion.

Nature of Assistance Sought From the New Zealand High Court

- 13 For the reasons stated in paragraph 10 above, the Court is satisfied that Mega has, or is likely to have, within its possession, custody or control, documents that are required to identify the proper defendants for the New York Proceedings, and that could lead to admissible evidence at trial.
- 14 Accordingly, this Court respectfully requests the assistance of the New Zealand High Court to issue an order of subpoena for the attendance of an appropriate representative of Mega for the purposes of producing documents sufficient to identify:
- 14.1 IP addresses;
 - 14.2 MAC addresses;
 - 14.3 email addresses;
 - 14.4 contact information;
 - 14.5 account information; and
 - 14.6 payment information;

of the users of the Mega accounts who posted the Stolen Materials belonging to the Plaintiff at the URLs set forth above in paragraphs 11.2 and 11.5 during the time period from August 1, 2014 to the present.

15 I understand that counsel for the Plaintiff will arrange to transmit this letter to the New Zealand High Court as part of an application for assistance filed by New Zealand counsel pursuant to provisions of the New Zealand Evidence Act 2006. I confirm this Court's approval for them to do so.

16 Please contact this Court for any further information, if required.

Yours respectfully,

The Honorable Edgardo Ramos

United States District Judge

United States District Court for the Southern District of New York